

CRIMINAL DOCKET - U.S. District Court				U.S. INDICTMENT (LAST, FIRST, MIDDLE)			Case Filed Mo. Day Yr.		Docket No. Def.		
PO	<input type="checkbox"/>	0417	05	Assigned 1706	<input type="checkbox"/> WRIT	VS.					
Misd.	<input type="checkbox"/>			Disp./Sentence	<input type="checkbox"/> JUVENILE	• SKYERS, DESMOND SAMUEL	03	24	93	00038 001	
Felony	<input type="checkbox"/>	District	Off	Judge/Magistr.	<input type="checkbox"/> ALIAS	a/k/a "Skip"	* No. of 11 Def's		U.S. MAG. CASE NO. ▶		
OFFENSE ON INDEX CARD											
U.S. TITLE/SECTION				OFFENSES CHARGED			ORIGINAL COUNTS			DISM. I NG ▼ HOLD	
21:963				Conspiracy to Import & Export Cocaine.			Ct. 1 1			<input type="checkbox"/>	
21:846				Conspiracy to Possess w/Intent to Distribute.			Ct. 2 1			<input type="checkbox"/>	
21:952 & 18:2				Importation of Cocaine & Aidign & Abetting.			Ct. 3 & 4 2			<input type="checkbox"/>	
I. CHARGES											
<p>N.A 1-28-94 4CCATT 94-5081 94-5074(L)</p>											

II. KEY DATE		INTERVAL ONE		END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)		END INTERVAL TWO																																																			
<input type="checkbox"/> KEY DATE <input type="checkbox"/> EARLIEST OF KEY DATE 03-24-93 APPLICABLE		<input type="checkbox"/> arrest <input type="checkbox"/> sum's <input type="checkbox"/> custody <input type="checkbox"/> appears on complaint		<input checked="" type="checkbox"/> Indictment filed/unsealed <input type="checkbox"/> consent to Magr. <input type="checkbox"/> trial on complaint <input type="checkbox"/> Information <input type="checkbox"/> Felony W/waiver		KEY DATE 47-93 a) <input type="checkbox"/> 1st appears on pending charge /R40 b) <input type="checkbox"/> Receive file R20/21 c) <input type="checkbox"/> Supsdg: <input type="checkbox"/> Indt <input type="checkbox"/> Inf d) <input type="checkbox"/> Order New trial e) <input type="checkbox"/> Remand f) <input type="checkbox"/> G/P Withdrawn																																																			
1st appears with or waives counsel		ARRAIGNMENT		1st Trial Ended		2nd Trial Began DISPOSITION DATE 9-3-93 SENTENCE DATE 1-18-94																																																			
				RE- TRIAL		<input type="checkbox"/> PTD <input type="checkbox"/> Nolle <input type="checkbox"/> Pros.																																																			
						FINAL CHARGES DISMISSED <input type="checkbox"/> on S.T. <input type="checkbox"/> grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP																																																			
III. MAGISTRATE <table border="1"> <tr> <td rowspan="2">Search Warrant</td> <td>Issued</td> <td>DATE</td> <td>INITIAL/NO.</td> <td colspan="2">INITIAL APPEARANCE DATE ►</td> <td rowspan="2">INITIAL/NO.</td> <td rowspan="2">OUTCOME:</td> </tr> <tr> <td>Return</td> <td></td> <td></td> <td>PRELIMINARY EXAMINATION OR REMOVAL OR HEARING</td> <td>Date Scheduled Date Held ►</td> </tr> <tr> <td rowspan="2">Summons</td> <td>Issued</td> <td></td> <td></td> <td><input type="checkbox"/> WAIVED</td> <td><input type="checkbox"/> NOT WAIVED</td> <td rowspan="2">Tape Number</td> <td rowspan="2"> <input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW </td> </tr> <tr> <td>Served</td> <td></td> <td></td> <td><input type="checkbox"/> INTERVENING INDICTMENT</td> <td></td> </tr> <tr> <td colspan="2">Arrest Warrant Issued</td> <td colspan="6"></td> </tr> <tr> <td colspan="2">COMPLAINT ►</td> <td colspan="6"></td> </tr> <tr> <td colspan="2">Date of Arrest</td> <td colspan="6">OFFENSE (In Complaint)</td> </tr> </table>								Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE ►		INITIAL/NO.	OUTCOME:	Return			PRELIMINARY EXAMINATION OR REMOVAL OR HEARING	Date Scheduled Date Held ►	Summons	Issued			<input type="checkbox"/> WAIVED	<input type="checkbox"/> NOT WAIVED	Tape Number	<input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW	Served			<input type="checkbox"/> INTERVENING INDICTMENT		Arrest Warrant Issued								COMPLAINT ►								Date of Arrest		OFFENSE (In Complaint)					
Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE ►		INITIAL/NO.	OUTCOME:																																																		
	Return			PRELIMINARY EXAMINATION OR REMOVAL OR HEARING	Date Scheduled Date Held ►																																																				
Summons	Issued			<input type="checkbox"/> WAIVED	<input type="checkbox"/> NOT WAIVED	Tape Number	<input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW																																																		
	Served			<input type="checkbox"/> INTERVENING INDICTMENT																																																					
Arrest Warrant Issued																																																									
COMPLAINT ►																																																									
Date of Arrest		OFFENSE (In Complaint)																																																							

• Show last names and suffix numbers of other defendants on same indictment/information:

02-Hopkins, 03-Jagoo, 04-Lewis, 05-Mathura, 06-Russell, 07-Skyers, A.; 08-Skyers, T
ATTORNEYS 09-Skyers, V.; 10-Watlington, 11-Skyers, C. RULE

Douglas McCullough

Defense: CJA. 2 Ret. 3 Waived. 4 Self. 5 Non / Other. 6 PD. 7 CD

1371 Downing Street
Washington, D.C.

Custody

70 Days up: 6/16/93

90 Days up: 7-1-93

(Detention Log in M.D. - 4-2-93)

70 days up: Aug 16 w/ end time through 8/2

Tel. # 919 571-7455

sent: ~~12-6-93 Rail~~

County: 37183

IV. NAMES & ADDRESSES OF ATTORNEYS, SURROGATES, ETC. 1371 Downing Street Washington, D.C. Custody	Jennifer S. Haynes T-19-96 Sam Bridges - Local Counsel Kevin M. Schad - Counsel Tel. # 919 571-7455	AMOUNT SET \$ _____ <input type="checkbox"/> Date Set <input type="checkbox"/> 10% Dep. <input type="checkbox"/> PSA <input type="checkbox"/> Conditions <input type="checkbox"/> Surety Bnd <input type="checkbox"/> Bail Not Made <input type="checkbox"/> Collateral <input type="checkbox"/> Date Bond Made <input type="checkbox"/> 3rd Ptry <input type="checkbox"/> Other OST - INDICTMENT <input type="checkbox"/> Fugitive <input type="checkbox"/> Pers. Rec. <input type="checkbox"/> PSA T SET <input type="checkbox"/> Date Set <input type="checkbox"/> 10% Dep. <input type="checkbox"/> PSA <input type="checkbox"/> Conditions <input type="checkbox"/> Surety Bnd <input type="checkbox"/> Bail Not Made <input type="checkbox"/> Collateral <input type="checkbox"/> Date Bond Made <input type="checkbox"/> 3rd Ptry <input type="checkbox"/> Other APPEALS FEE PAYMENTS
70 Days up: <u>6/16/93</u> 90 Days up: <u>7-1-93</u> (detention begins MD - 4-2-93) 70 days up: Aug 16 w/ escl time through 8/2 County: 37183		
1-18 Wilm sent: <u>12-6-93 Rel.</u>		

DATE
DOCUMENT NODocket No
93-38-01-CR-5-BRMASTER DOCKET - MULTIPLE DEFENDANT CASE
PROCEEDINGS DOCKET FOR SINGLE DEFENDANTPAGE OF

VI EXCLUDABLE DELAY

Start Date
End DateLtr
Code

Total

Days

(OPTIONAL) Show last names of defendants

V. PROCEEDINGS

Desmond Samuel Skyers

JUDGES BRITT AND MCCOTTER

2-23-93 1 **MOTION TO SEAL INDICTMENT::** cc: J. Denson WSC
2-23-93 2 **ORDER TO SEAL INDICTMENT::** (Denson) WSC
*2-19-93 3 **MEMORANDUM REQUESTING ISSUANCE OF ARREST WARRANT:** WSC
2-24-93 4 **WARRANT FOR ARREST:** original to USM for service. WSC
3-1-93 5 **MOTION TO SEAL INDICTMENT::** cc: USA & J. Britt WSC
3-1-93 6 **ORDER TO SEAL INDICTMENT::** (Britt) cc: USA WSC
3-8-93 7 **MOTION TO SEAL INDICTMENT::** cc: J. Denson WSC
3-8-93 8 **ORDER TO SEAL INDICTMENT::** (Denson) WSC
3-15-93 9 **MOTION TO SEAL INDICTMENT::** cc: USA, & J. Denson WSC
3-15-93 10 **ORDER TO SEAL INDICTMENT::** (Denson) WSC
3-24-93 11 **MOTION TO UNSEAL INDICTMENT::** cc: USA, J. Denson WSC
3-24-93 12 **ORDER TO UNSEAL INDICTMENT::** (Denson) WSC
3-24-93 13 **INDICTMENT FILED::** cc: USA, PTS, USPO, USM, J. Britt, J. McCotter counter, file, calendar file, WSC

4/7/93 -- **INITIAL APPEARANCE** in Ral before USMJ Denson-Recorded - Deft present w/o counsel - Advised of charges, max punish and rights - Deft requested court appted counsel - Govt moves for deten - Det Hrg already held in another district vp
14. **ORDER appting court assigned counsel (Denson)** - lc: USA, PTS, FPD w/file vp

4/8/93 -- **PRETRIAL SCHEDULING REPORT TO MCCOTTER** vp

4/8/93 Rec'd Mag. papers from District of Maryland
Warrant for arrest, CJA 23 - w/Order appointing attorney, Commitment to another district, Order of Temporary Detention pending hearing prusuant to Bail Reform Act, Detention Order - dated 4/2/93
(w/4 Government exhibits) ag

4/13/93 15 **ORDER ON PRE-TRIAL SCHEDULING**
motion 5/7/93
RESPONES 5/17/93
(W. Earl Britt, Judge Cr OB # P)
1c: USA, PO, & Judge Britt, 5-6-93 cc: Crawley(wsc) ag

4/23/93 16 **NOTICE OF APPEARANCE** by Atty. Jack B. Crawley, Jr.
Suite 500, Landmark Center
4601 Six Forks Road
P. O. Box 97155
Raleigh, n.C. 27624- 7155
1c: USA, PO, Judge Britt, M/J McCotter ag

5/7/93 17 **MOTION TO MODIFY PRE-TRIAL SCHEDULING ORDER** - respectfully submitted that the Order on pre-trial scheduling should be modified to provide that all pre-trial motions be filed no later than 5/24/93
1cL counsel, Judge McCotter w/proposed order S-7-
S-12

5/10/93 18 **GOVERNMENT'S MOTION TO CONTINUE** from 6/7/93 in Raleigh
1c: Judge Britt 5-10-93 2
5/18/93

5/11/93 19. **ORDER** - cont. case from 6/7/93 to 7/6/93 at Ral. - time excludable - applies to co-defts. due to no severance - (Britt, J) Cr. OB#50, P. 195 - 1c: USA, USPO, PTS, USM, Mr. Crawley (ent. 5/12/93) 6/7/93
7/6/93 29

LET
For identifying periods of excludable delay per 18 USC 3161 (h) (3) (Sections in brackets)

A. Exam or hearing for mental/physical incapacity (18 USC 3161 (h) (1) (A))

B. NARA exam (18 USC 2902) (1) (B))

C. State/Fed. proceedings on other charges (1) (D))

D. Interlocutory appeal (1) (E))

E. Pretrial motion (from filing to hearing or to other prompt disposition) (1) (F))

F. Transfer from other district per FRCR 20.21 or 40 or Mag. Rule 8a (1) (G))

G. Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed (1) (J))

H. Misc. proceedings: arraignment, parole/probation, revocation, Deportation, extradition (1) (I))

I. Deferral of prosecution (per 28 USC 2902) (1) (C))

J. Transportation from another district or to/from examination or hospitalization in 10 days (1) (H))

K. Consideration of Court of Appeals plea agreement (1) (L))

L. Prosecution deferred by mutual agreement (1) (K))

M. Unavailability of defendant or essential witness (3) (A, B))

N. Period of mental/physical incompetence of def. to stand trial (1) (I))

O. Period of NARA commitment/treatment (1) (G))

P. Superseding indictment and/or new charges (1) (E))

R. Def. awaiting trial of co-defendant & no severance has been granted (1) (J))

T. Continuance granted per (h)(8) use "T" alone if more than one of the following reason(s) (T1-T4) is present
T1. Trial date is pretermitted
T2. Trial date is pretermitted
T3. Trial date is pretermitted
T4. Trial date is pretermitted

T1. Failure to continue would stop further proceedings or result in miscarriage of justice (18 USC 3161 (h) (i))

T2. Case unusual or complex (18 USC 3161 (h) (ii))

T3. Indictment or arrest can't be made in 30 days (1) (G))

T4. Continuance granted to obtain or substitute counsel, or give reasonable time to prepare (18 USC 3161 (h) (v))

U. Time up to withdrawal guilty plea, 3161 (i))

W. Grand Jury indictment time extended 30 more days, 3161 (b))

UNITED STATES DISTRICT COURT

CRIMINAL DOCKET

U. S. vs SKYERS, Desmond Samuel

93-38-01-Cr-5

AO 256A *

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
5/12/93	20. ORDER MODIFYING PRETRIAL SCHEDULING ORDER - motion by 5/24/93 responses by 6/3/93 (McCotter, M/J) - 1c: USA and Mr. Crawley and Judge Britt (ent. 5/12/93)	sr			
	70 days up 6/10 (first deft. time runs out)				
6/15/93	ISSUED NOTICE TO APPEAR FOR ARRAIGNMENT AND TRIAL ON TUESDAY, JULY 6, 1993 AT 9:00 A. M. in Raleigh before Judge Britt Courtroom # 2- 7th Floor - 1c: USA, PO, USM & counsel for deft.	ag	6-18-93	10	
6/18/93	21. MOTION TO CONTINUE ARRAIGNMENT AND TRIAL from 7/6/93 in Raleigh before Judge Britt 1c: Judge Britt	ag	6-28-93		
6/22/93	22. GOVERNMENT'S MOTION TO CONTINUE from 7/6/93 - in Raleigh 1c: Judge Britt	ag	6-22-93	6	
6/28/93	23. ORDER - Upon motion by government and by defts. Desmond Samuel Skyers, Wayne Jagoo & Vincent Claude Skyers, the trial of this matter presently set for 7/6/93 in Raleigh, N. C. is hereby continued to 8/2/93 in Raleigh, n. C. The delay occasioned by the granting of this motion is excluded from computation for speedy trial purposes (W. Earl Britt, Judge CR OB #51 P 107) 1c: Jack B. Crawley, Jr., Parsons, Acquirre, USA, PO, USM & PTS	7-7-93	8-2-93	26	
7/2/93	70 days up: August 16, 1993 w/excl time thru 8/2/93				
7/6/93	24. GOVERNMENT'S MOTION TO CONTINUE A & T from 7/6/93 until 8/2/93 1c: Judge Britt 1c: Cathy Wells & Joyce Todd	7/7/93	8-2-93	26	
7/7/93	25. ORDER - Upon motion of the government, the trial of this matter currently scheduled for 8/2/93 is continued until 8/30/93 in Raleigh. The delay occasioned by the granting of this motion is hereby excluded from computation for speedy trial purposes (W. Earl Britt, 0 1c: USA counsel for deft. & Judge Britt 9ent. 7/7/93)	8-30-93		27	
7-15-93	70 days up 9-12-93 w/excludable time included.	ag			
7-16-93	NOTICE: for A&T on 8-30-93 at Raleigh before J. Britt at 9:00 a.m. 7th floor - courtroom #2 cc: USA, counsel, USM, USPO, Joyce Todd, J. Britt, Jury Clerk, Deputy clerk, Reporter	wsc			
8/3/93	26. GOVERNMENT'S MOTION TO USE FORMER TESTIMONY 1c: Judge Britt w/3 transcripts (1) 11/3/83 (Fr.) - (2) 9-5-89 - (Tues) (3) 9-6-89 - (Wed) - no transcript in our case file all transcripts w/Judge Britt	wsc			

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. A. vs. Desmond Skyers, et al

AO 256A

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
8/3/93	11. NOTICE OF INTENT TO USE SUMMARIES AND/OR CHARTS by USA 1c: Judge Britt				
8/9/93	ISSUED NOTICE TO APPEAR FOR HEARING ON GOVERNMENT'S MOTION TO USE FORMER TESTIMONY before Judge Britt on Friday, August 20, 1993 at 2:00 P.M. in Raleigh, N. C. Courtroom #2 - 7TH Floor				
8/10/93	WRIT - Lashawn Denise Taylor to appear for trial on 8/30/93 in Raleigh, N. C. before Judge Britt to testify against above named deft. - Further ordered that when the witness has served her purpose and is released by the Court that she be returned by the U.S. Marshal for EDNC or any U.S. Marshal, to the custody of the Maryland Dept. of Correction (F. T. Dupree, J CR OB # P) 4 cys USA				
8/19/93	27. RESPONSE TO GOVERNMENT'S MOTION TO USE FORMER TESTIMONY w/cs. - 1c: Judge Britt	sr			
8/20/93	At Raleigh, N. C. - C. R. Donna Tomawski - Judge Britt Hearing on Government's Motion to Use former Testimony - motion withdrawn Government to proffer testimony they wish to use at trial Time 2:05 PM/2:30 P.M. (Written order to follow)				
8/20/93	28. ORDER - at hearing on m/by the govern. to use former testimony - AUSAtty - w/drew motion. (Britt, J) Cr. OB#52, P. 88 - 1c: USA and Mr. Crawley, (ent. 8/20/93)	sr			
8/24/93	29. MOTION FOR USE IMMUNITY FOR TRIAL TESTIMONY (w/proposed order to Judge Britt)	ag	8-24-93		
8-26-93	30. ORDER OF USE IMMUNITY FOR TRIAL TESTIMONY: (Britt) Wendy Regina Moore be required to testify & provide other information in regard to the trial of USA vs. Desmond S. Skyers provided Mrs. Moore is hereby granted immunity from the use of any criminal information directly/indirectly derived from such testimony. This order does not immunize the witness from charges of perjury or otherwise failing to comply with the order of the Court. cc: USA, counsel, OB 52 pg. 103.	ag	8-26-93		
8-27-93	31. PROPOSED VOIR DIRE: by deft. w/ c.s. cc: J. Britt	wsc			
8-27-93	32. DEFENDANT DESMOND SAMUEL SKYERS' REQUEST FOR JURY INSTRUCTIONS: by deft. w/ c.s. cc: J. Britt.	wsc			
8-27-93	33. GOVERNMENT PROPOSED JURY INSTRUCTIONS: cc: J. Britt	wsc			
8-30-93	34. EX PARTE MOTION: by deft. w/ proposed order. cc: J. Britt. wsc				
8-30-93	35. ORDER: (Britt) that the clerk shall issue subpoenas for Sandra Lampkin and Virginia Williams to appear on 9-2-93 at 9:00 a.m. for testimony in this matter. USM office is ordered to serve such and that the costs incurred shall be paid by USM. USM is responsible for 103 pg. Interval (per Section II)				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET U. S. vs

Desmond Samuel Skyers

93-38-01-CR-5-BR

Yr. Docket No. Def.

AO 256A *

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY		
		(a)	(b)	(c) (d)
8-30-93	AT RALEIGH BEFORE JUDGE BRITT:: Arraignment & Trial Court Reporter - Donna Tomawski deft. present w/counsel - deft. arraigned and pleads not guilty to charges in the indictment. Jury selection begins Jury selected and impanelled. Trial begins. Opening by USA. Opening by deft. USA presents evidence via sworn testimony. Jury dismissed to return on 8-31-93 at 12:00 noon. wsc			
8-31-93	36. MOTION IN LIMINE:: by deft. w/ cs cc: J. Britt. wsc			
8-31-93	AT RALEIGH BEFORE JUDGE BRITT:: arraignment and trial continues. USA continues to present evidence via sworn testimony. Jury dismissed to return on 9-1-93 at 9:00 a.m. (REPORTER - Donna Tomawski.) wsc			
9-1-93	AT RALEIGH BEFORE JUDGE BRITT:: Court Reporter - Donna Tomawski Jury Trial continues - USA presents evidence via sworn testimony. wsc			
9-1-93	37. WRIT OF HABEAS CORPUS AD TESTIFICANDUM:: (Britt) for production of Ian Moses Ashley. 6cc: Counsel OB. <u>52</u> PG. <u>125</u> wsc			
9-2-93	AT RALEIGH BEFORE JUDGE BRITT:: Reporter - Donna Tomawski Jury trial continues. USA presents evidence via sworn testimony. USA rests. Defense moves for Judgement of acquittal. Motion denied. Defense presents evidence via sworn testimony. defense rests. defense moves to renew judgement of acquittal. Motion denied. Jury is dismissed to return on 9-3-93 @ 9:00 (Motions for Jdgmt of acquittal made out of presence of jury.) wsc			
9-3-93	AT RALEIGH BEFORE JUDGE BRITT:: Reporter - Donna Tomawski Jury trial continues. closing argument by USA - Closing arguments by defense counsel - rebuttal also by USA. Charge to the jury - Jury retires to begin deliberation.			
	38. -Jury returns VERDICT - Ct. 1 - Guilty Ct. 2 - Guilty Ct. 3 - Guilty Ct. 4 - Guilty			
	All jurors assent to verdict. jury dismissed. Tentative sentencing date is 12-6-93. deft. in custody. wsc			
9-9-93	RETURN ON WRIT:: XXXXX on 9-2-93 non-exc'd due to USM not being able to produce w/n time fram needed wsc			
11-1-93	39. MOTION:: FOR ENLARGEMENT OF TIME TO FILE OBJECTIONS TO INITIAL PRESENTENCE INVESTIGATION REPORT:: n by deft w/c.s. cc: J/ Britt wsc			
11-3-93	40. ORDER:: (Britt) time w/n which the deft. may file objections to PSR is enlarged to 11-5-93 from 11-1-93. cc: USA, counsel, USPO, OB. 53 pg. 128 wsc			
11-16-93	NOTICE:: to all parties to appear in Raleigh before J. Britt on Monday 12-6-93 at 9:00 a.m. in courtroom #2 - 7th floor, cc: USA, USPO, USPTS, counsel, J.Britt, USM, Joyce Todd, Donna, criminal section wsc			

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
11/18/93	42 MOTION TO CONTINUE SENTENCING from 12/6 by USA w/cs 1c: Judge Britt		11/18/93		
11-23-93	42 ORDER::(Britt) sentencing in this matter is continued unntil 1-18-94 in Wilm. cc: USA, USPO, USM , counsel, J.Britt OB. 53 pg. 140	wsc	11-23-93		
12-9-93	TRIAL TRANSCRIPTS FILED VOLUMES I - IV	wsc	wsc		
1-4-94	NOTICE:: to appear in Wilmington before Judge Britt for sentencing on Tuesday, 1-18-94 at 9:00 a.m. in courtroom #2 second floor cc: USA, counsel, J.Britt, USPO, USM Raleigh & Wilmington, Donna, Joyce Todd, Wilmington,		wsc		
1-5-94	JUDGE BRITT SENTENCING SCHEDULNG MEMO TO DEFT. COUNSEL 10:20 a.m.	wsc			
1-18-94	AT WILMINGTON BEFORE JDUGE BRITT:: reporter - Donna Tomawski deft. present w/counsel - sworn - objections heard & resolved. Court finds there is not reason to depart in this matter BOP: life on each of Cts. 1,2, & 3 and 480 mths as to Ct. 4 all concurrent SR: 60 mths on each of Ct. 1,2,3, & 4 concurrent condition: standard substance abuse rx w/testing standard warrantless search Fine: 16,300.00 consisting of : 4,075.00 per count w/o interest BOP will establish inmate payment plan w/any remaingng to be paid under USPO supervision provided all paid w/n 5 years of prison release time SA: 200.00 due immediately Denial of benefits: 5 yrs. advised of right to appeal Court recommends that deft. be allowed to serve sentence at facility near Florida provided that this meets w/BOP rules and regulations. - remanded to USM.				
	42 JUDGEMENT :: (Britt) cc: USA, USM-3, USPO-3, counsel, J.Britt, fine center, PTS, OB. 15 pg. 30	wsc			
	ENTERED::1-18-94 PSR filed under seal.				
1-28-94	44 NOTICE OF APPEAL - 1c 4th Circuit Court of Appeals, 1c Judge Britt, U.S. Atty., Probation, Pre-Trial Services and Marshal. 9etn. 2-1-94) ms				
2-4-94	APPEAL PACKET MAILED THIS DATE CONSISTING OF - docketing statement, transmittal sheet, CJA 24, transcript order form and index.				
2/4/94	45 ORDER- (Court consolidated these cases for purpose of briefing & oral argument and directs that: (94-5054, 94-5075, 94-5081) 1. one joint brief shall be permitted per side; 2. parties on each side shall share the time allowed for oral argument; 3. each side shall notify the Court of the attorney designated as lead counsel w/in 10 days of the date of this order (Bert M. Montague, Clerk, USCA) ag				
3-16-94	TRANSCRIPT OF MOTIONS HEARING BEFORE THE HONORABLE W. EARL BRITT, U.S. DISTRICT JUDGE at Raleigh, N.C. August 20, 1993 Volume 1 of 1 Pages 1 - 21 Donna Tomawski, Court Reporter (ent. 3-16-94) ms				
3-29-94	MARSHAL'S RETURN ON JUDGMENT AND COMMITMETN - deft. delivered 3-1-94 to U.S.P. Atlanta, Ga.				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET U. S. vs

93-38-01-CR-5

AO 256A ®

SKYERS, DESMOND SAMUEL
a/k/a Skip

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
5-18-94	(Document No.) CASE FILE MAILED THIS DATE TO COURT OF APPEALS CONSISTING OF 3 VOLUMES.				
5-20-94	TRANSCRIPT OF SENTENCING HEARING BEFORE THE HONORABLE W. EARL BRITT, U.S. DISTRICT JUDGE at Wilmington, N.C. Jan. 18, 1994 Volume 1 of 1 Pages 1 - 24 Donna Tomawski, Court Reporter (ent. 5-24-94) ms				
4-28-95	TRANSCRIPT OF CLOSING ARGUMENT AND JURY INSTRUCTIONS BEFORE THE HONORABLE W. EARL BRITT, U.S. DISTRICT JUDGE at Raleigh, N.C. September 3, 1993 Volume 1 of 1 Pages 1 - 60 Donna Tomawski, Court Reporter. (ent. 8-11-95) ms				
2-16-96	CASE FILE RETURNED TO U.S. COURT OF APPEALS CONSISITING OF 4 VOLUMES.				
3-18-96	46 UNPUBLISHED OPINION - Affirmed in part and vacated and remanded in part by unpublished per curiam opinion. 1c Judge Britt. (ent. 3-19-96) ms				
4-5-96	Case file to J. Britt per his request.	ws	c		
4-11-96	CASE FILE RECEIVED THIS DATE CONSISTING OF 4 Volumes.				
4-9-96	47 JUDGMENT U.S. COURT OF APPEALS - The court affirms in Part, vacated and remanded in part the judgment of the District Court. 1c Judge Britt, U.S. Atty., probation, Pre-trial Services Marshal. (ent. 4-24-96) ms				
5/10/96	Notice to appear for re-sentencing before Judge Britt on 6/21/96 at 9:00 in Raleigh - 1c: USA, USM, PTS, USPO, Cookie Wells, Donna Tomawski, FPD and Judge Britt vp				
5/13/96	48 ORDER apptng court assigned counsel (BRITT) - 1c: USA and FPD vp				
5/29/96	49 NOTICE OF APPEARANCE filed by Jennifer S. Haynes				vp
6/5/96	50 MOTION TO CONTINUE filed by Jennifer S. Haynes - 1c: Judge Britt vp				vp
6/7/96	51 ORDER continuing the resentencing to 7/29/96 in Raleigh, NC (BRITT) - 1c: USA, USM, USPO, Atty Haynes - BR OB 4 p. 117 vp				vp
7/8/96	52 MOTION TO CONTINUE filed by AUSA McCullough - 1c: Judge Britt vp				
7/9/96	53 ORDER - upon motion of the government, the resentencing and the hearing on the motion for departure int hese cases are hereby CONTINUED to 3 September 1996 (BRITT) - 1c: USA, USM, USPO, Atty MX Aguirre BR OB #4 p. 195 vp				
7/16/96	54 MOTION TO APPEAR PRO HAC VICE filed by Atty Kevin M. Schad - 1c: Judge Britt vp				
7/19/96	55 NOTICE OF APPEARANCE AS LOCAL COUNSEL by Samuel L. Bridges vp				
7/19/96	56 ORDER approving motion to appear Pro Hac Vice (Britt) - cvs dist.				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
7/22/96 57	(Document No.) MOTION TO WITHDRAW as counsel by Atty Jennifer S. Haynes (automatically allowed per Judge Britt)				
8-16-96 58	ORDER(Britt) allowing attorney Haynes to withdraw from this matter as attorney Schad will be representing the deft. cc: USA, counsel, USPO				
*8-15-96 59	MOTION TO CINTINUE:: by USA w/c.s. cc: J. Britt	ws			
8-20-96	NOTICE:: re 9-3-96 hearing as to theremand issue cc: USA, SUPO, USM, counsel Schad, USPO	ws			
8-28-96	AMENDED NOTICE ISSUED:: resetting the remand for 9-4-96 at 9:00 a.m. in Raleigh in courtroom # 2 - 7th floor. cc: USA, USPO, USM, J. Britt, counsel Schad,	ws			
8-30-96 60	DEFENDANT POSITION WITH REGARDS TO RESENTENCING:: w/c.s. cc: J. Britt	ws			
9-4-96	AT RALEIGH BEFORE THE HONORABLE W. EARL BRITT:: court reporter D. Tomawski - deft. present w/counsel for resentencing - court hears arguments re whether the court has the authority to resentence - ruling: it does - USA presents evidence re the resentencing USA oral motion to treat all cocaine as powder - deft. cinsents new guideline finding - Judgment amended as follows: BOP time of 360 mths to life is stricken and replaced with incarceration time of 360 mths on each of counts 1-4 all to run concurrently - no other changes.				
9-5-96 61	AMENDED JUDGMENT::(Britt) memorializing guideline amendments and reduction of sentence from flie plus 480- to 360 mths on each of Counts 1-4 concurrent: cc: USA, USPO-3, USM-3, Pts, fine center Sharon Schad Br. Ob. 5 pg. 41	ws			
06/25/2001 62	REQUEST TO DISPENSE WITH LOCAL COUNSEL -	gnm			
06/25/2001 63	MOTION UNDER 28 USC §2255 TO VACATE, SET ASIDE OR CORRECT SENTENCE - by deft CIVIL NO. 5:01-CV-479-BR	gnm			
06/27/2001	-- Motion submitted to Judge Britt	gnm			
07/02/2001 64	ORDER - dismissing the petition and denying as moot request to dispense with local counsel (BRITT) BR CR OB# 4 ps 4cc: pet, USA (entered. 07/09/2001)	gnm			
8-16-01 65	NOTICE OF APPEAL - lc 4th Circuit Court of Appeals, lc Judge Britt, lc U.S. Atty., lc Counsel of record.				
9-6-01	APPEAL PACKET mailed this date consisting of Index, docketing sheet and transmittal sheet.				
10-3-01	CERTIFICATE - to USCA and Counsel certifying that the record in this case is complete for purposes of the appeal - lc Judge Britt.				
11-30-01	CASE FILE MAILED THIS DATE COURT OF APPEALS CONSISTING OF 1 VOLUME.				
2-1-02 66.	UNPUBLISHED OPINION - dismissed by unpublished per curiam opinion. lc Judge Britt (ent. 2-4-02-) ms				
3-27-02 67.	JUDGMENT U.S. COURT OF APPEALS - the court denies a certificate of appealability and dismisses the appeal. lc Judge Britt				
4-1-02	CASE FILE RECEIVED THIS DATE FOM COURT OF APPEALS CONSISTING OF 1 VOLUME.				